

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GEORGE CLINTON,

Plaintiff,

v.

HENDRICKS & LEWIS, PLLC, *et al.*,

Defendant.

Case No. C11-1142RSL

ORDER SEVERING
COUNTERCLAIMS AND
CONSOLIDATING ACTIONS

This matter comes before the Court on Hendricks & Lewis' "Status Report" (Dkt. # 57), Clinton's "Motion to Dismiss Counterclaim Plaintiff's Second Amended Counterclaims" (Dkt. # 61), and Hendricks & Lewis' unopposed "Motion to Sever Judgment Collection Counterclaims and Consolidate Actions" (Dkt. # 71). Having reviewed the memoranda, declarations, and exhibits submitted by the parties and the remainder of the record, the Court finds as follows:

Hendricks & Lewis has made a number of attempts to execute on the judgments entered by the Honorable John C. Coughenour in Hendricks & Lewis, PLLC v. Clinton, C10-0253JCC (W.D. Wash.). For the reasons stated in this Court's "Order Denying Plaintiff's Motion to Dismiss Counterclaims or, in the Alternative, to Transfer" (Dkt. # 38), the collection efforts initiated in California and the amended counterclaims

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1 asserted in this litigation are not duplicative and do not run afoul of the prohibition
 2 against claim splitting. The Court agrees, however, that restructuring the three actions
 3 currently pending in this district will promote the efficient administration of justice.

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 5 For all of the foregoing reasons, Clinton's motion to dismiss (Dkt. # 61) is
 6 DENIED and Hendricks & Lewis' motion to sever and consolidate (Dkt. # 65) is
 7 GRANTED. The counterclaims stated in the Second Amended Counterclaims (Dkt. # 56
 8 in C11-1142RSL) are hereby SEVERED in accordance with Fed. R. Civ. P. 21. The
 9 severed counterclaims and Cause Nos. C12-0841RSL and C12-0884RSL are
 10 consolidated and merged into a single action for all purposes pursuant to Fed. R. Civ. P.
 11 42(a)(2). All future filings in the consolidated actions shall bear the following caption:

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 13 HENDRICKS & LEWIS, PLLC,

14 Plaintiff,

15 v.

16 GEORGE CLINTON,

17 Defendant.

Case No. C12-0841RSL

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 19 Hendricks & Lewis shall, within fourteen days of the date of this Order, file and serve a
 20 consolidated pleading that includes all requests for relief to be pursued in the
 21 consolidated action. The "Motion to Appoint a Receiver" and the "Motion for Sale of
 22 Copyrights" currently pending in C12-0841RSL and C11-1142RSL, respectively, will be
 23 considered by the Court in due course and need not be refiled in the consolidated action.
 24 The "Order Regarding Initial Disclosures, Joint Status Report and Early Settlement"

1 issued in C12-884RSL is hereby VACATED.

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3 Dated this 30th day of August, 2012.

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6 Robert S. Lasnik
7 United States District Judge
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